

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Civil No. 05-CV-767 (DSD/SRN)

Petitioner,

v.

ORDER

Calvin Wedington,

Respondent.

Lonnie F. Bryan, Esq., on behalf of Petitioner

Katherine Menendez, Esq., on behalf of Respondent

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated May 26, 2005. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. The Government's Petition to Determine Present Mental Condition of an Imprisoned Person Under 18 U.S.C. § 4245 (Doc. No. 1) is **GRANTED**.

Respondent is in need of custody for care or treatment of a mental disease and/or defect; and

2. Respondent is committed to the custody of the Attorney General of the United States pursuant to 18 U.S.C. § 4245 for hospitalization and treatment until the Respondent is no longer in need of such custody for care and treatment, or until the expiration of the sentence of imprisonment, whichever occurs earlier.

Dated: June 2, 2005

s/David S. Doty
Judge David S. Doty
United States District Court Judge